

CORRES. CONTROL
INCOMING LTR NO.

3083 RF 93

DUE
DATE

ACTION

DIST. LTR ENC

BENEDETTI, R.L.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
BENJAMIN, A.	<input type="checkbox"/>	<input type="checkbox"/>
BERMAN, H.S.	<input type="checkbox"/>	<input type="checkbox"/>
CARNIVAL, G.J.	<input type="checkbox"/>	<input type="checkbox"/>
COPP, R.D.	<input type="checkbox"/>	<input type="checkbox"/>
CORDOVA, R.C.	<input type="checkbox"/>	<input type="checkbox"/>
DAVIS, J.G.	<input type="checkbox"/>	<input type="checkbox"/>
FERRERA, D.W.	<input type="checkbox"/>	<input type="checkbox"/>
HANNI, B.J.	<input type="checkbox"/>	<input type="checkbox"/>
HEALY, T.J.	<input type="checkbox"/>	<input type="checkbox"/>
HEDAH, T.G.	<input type="checkbox"/>	<input type="checkbox"/>
HILBIG, J.G.	<input type="checkbox"/>	<input type="checkbox"/>
KIRBY, W.A.	<input type="checkbox"/>	<input type="checkbox"/>
QUESTER, A.W.	<input type="checkbox"/>	<input type="checkbox"/>
LEE, E.M.	<input type="checkbox"/>	<input type="checkbox"/>
MANN, H.P.	<input type="checkbox"/>	<input type="checkbox"/>
MARX, G.E.	<input type="checkbox"/>	<input type="checkbox"/>
McKENNA, F.G.	<input type="checkbox"/>	<input type="checkbox"/>
MORGAN, R.V.	<input type="checkbox"/>	<input type="checkbox"/>
PIZZUTO, V.M.	<input type="checkbox"/>	<input type="checkbox"/>
POTTER, G.L.	<input type="checkbox"/>	<input type="checkbox"/>
RILEY, J.H.	<input type="checkbox"/>	<input type="checkbox"/>
SANDLIN, N.B.	<input type="checkbox"/>	<input type="checkbox"/>
SATTERWHITE, D.G.	<input type="checkbox"/>	<input type="checkbox"/>
SCHUBERT, A.L.	<input type="checkbox"/>	<input type="checkbox"/>
SETLOCK, G.H.	<input type="checkbox"/>	<input type="checkbox"/>
SHEPLER, R.L.	<input type="checkbox"/>	<input type="checkbox"/>
SULLIVAN, M.T.	<input type="checkbox"/>	<input type="checkbox"/>
SWANSON, E.R.	<input type="checkbox"/>	<input type="checkbox"/>
MILKINSON, R.B.	<input type="checkbox"/>	<input type="checkbox"/>
WILSON, J.M.	<input type="checkbox"/>	<input type="checkbox"/>
ZANE, J.O.	<input type="checkbox"/>	<input type="checkbox"/>

Keith SIXX

Taylor KIXX

CORRES CONTROL	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

Reviewed for Addressee
Corres. Control RFP

7-13-93
DATE BY

Ref Ltr. #



Department of Energy

ROCKY FLATS OFFICE
P.O. BOX 928
GOLDEN, COLORADO 80402-0928



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93-DOE-07977

JUL 12 1993

Mr. Gary Baughman
Hazardous Waste Facilities Unit Leader
Colorado Department of Health
4300 Cherry Creek Drive South
Denver, Colorado 80222-1530

Dear Mr. Baughman:

The DOE has carefully considered your proposal to informally resolve the Operable Unit (OU) 4 dispute, presented and discussed at our June 21, 1993 meeting. The DOE fully supports the basic premise of the proposal, that is to streamline reports and administrative requirements in exchange for acceleration of actual cleanup. We believe physical cleanup progress is the real purpose of our Interagency Agreement (IAG) and believe even further streamlining of the OU4 effort can and should be our mutual goal. Based on this idea and our review of your proposal we would like to offer the attached counterproposal for your consideration. The major points are as follows:

- The DOE accepts and endorses the basic premise of exchanging the OU4 Phase I RFI/RI Report and associated milestones for accelerated pond closure.
- The DOE will develop with active participation of our regulators (Colorado Department of Health and Environmental Protection Agency) the best method to present site characterization data in support of the IM/IRA Decision Document, and "best effort" schedules which also reflect the "best option" to allow accelerated closure of the solar ponds. Development of new schedules and budgets will follow technical definition of the revised project scope, which will be based on the outcome of an analysis of the best sludge storage and management option. We believe regulator participation in this process is essential for success. The attached schedule for analysis is proposed in draft, to be finalized at a first meeting of the DOE and regulator analysis team.
- The basic Interim Measure/Interim Remedial Action (IM/IRA) process described in paragraph I.B.10 of the IAG Statement of Work should be substantially modified for OU4 to achieve even greater streamlining. Significant schedule savings are possible through replacement of formal Implementation Document and Title II IM/IRA design deliverables with joint DOE and regulator design review meetings (preliminary and final). Design review comments by all parties would be resolved prior to design finalization.

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EG&G
ROCKY FLATS PLANT
CORRESPONDENCE SECTION

JUL 12 1993

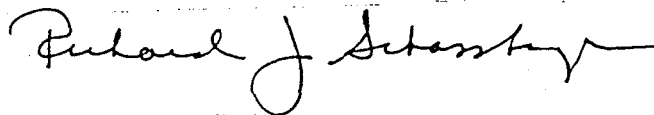
G. Baughman
93-DOE-07977

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- The basic Administrative Process for CHWA/RCRA Interim Status Closures described in paragraph I.B.11.b of the IAG Statement of Work should be substantially modified for OU4 to achieve substantial acceleration of the final remediation. Final corrective action for the Solar Ponds can be included as part of the RCRA closure action. This step would eliminate Phase II RFI/RI Reports and follow-on activities which currently lead to a Corrective/Remedial Action construction start in the year 2000. Rather, the final corrective action becomes part of the pond closure construction start prior to 1997.
- The concepts described in RCRA Subpart S concerning Corrective Action Management Units (CAMU) should be utilized to the maximum extent to allow earlier physical removal of sludges. The DOE could commit to removal of the majority of sludge in 1993 if more flexible RCRA provisions allowed for CAMU are utilized.
- This dispute will remain open at the informal level until the new milestone commitments developed from the analysis process and Statement of Work revision are formally accepted by the Colorado Department of Health (CDH) and Environmental Protection Agency (EPA).
- Every effort will be made to minimize critical path delays from NEPA, Safety Analyses, and other influences which are not specifically discussed in the Interagency Agreement (IAG). Actions by the Defense Nuclear Facility Safety Board (DNFSB) are similarly outside the control of the DOE.

We believe our counterproposal (attached Informal Resolution of Dispute, Operable Unit 4, Solar Ponds) reflects our continued commitment to completion of the OU4 Solar Ponds portion of the IAG and increased openness and dialogue with our regulators. We believe this counterproposal represents a more complete and cooperative approach to the difficult challenges ahead, and most importantly accelerates final cleanup of the Solar Ponds by several years. We request your concurrence on this counterproposal to allow resolution of our dispute. Any questions should be directed to Frazer Lockhart at 966-7846.

Sincerely,



Richard J. Schassburger
Acting Director
Environmental Restoration Division

Enclosure

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JUL 1 4 1993

G. Baughman
93-DOE-07977

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cc w/Enclosure:

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